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DEFINITIONS

1. Active commissioned service. Service on active duty as a commissioned officer or commissioned warrant officer.
2. Active duty. Full-time duty in the active military service of the United States. This term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by SECNAV.
3. Active duty for training. Active duty for Reserve training with automatic reversion to inactive duty upon completion.
4. Active-duty list. Separate lists of Navy and Marine Corps officers, required to be maintained by SECNAV under section 620 of reference (a) of all officers on active duty in the Navy and Marine Corps, other than officers described in section 641 of reference (a).
5. Active service. Service on active duty.
6. Active status. The status of a Reserve commissioned or warrant officer, other than a commissioned warrant officer, who is a member of the Ready Reserve or Standby Reserve-Active, including Reserve officers on the active duty list.
7. Bisexual. A person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual and heterosexual acts.
8. Board of Inquiry (BOI). A board convened under section 1182 or section 14903 of reference (a) to receive evidence and make findings and recommendations as to separation for cause and characterization of service under this instruction in the case of an officer.
9. BOI report. Includes the BOI record of proceedings (transcript) and BOI findings and recommendations (results of the Board).
10. Characterization of service. Classification of quality of service rendered.

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11. Commander. A commissioned or warrant officer who, by virtue of rank and assignment, exercises primary command authority over a military organization or prescribed territorial area that, under pertinent official directives, is recognized as a "command."
12. Commissioned officer. An officer in any of the Military Services who holds a grade and office under a commission signed by the President, and who is appointed as a Regular or Reserve officer, other than a commissioned warrant officer or retired commissioned officer.
13. Commissioned service. All periods of service as a commissioned officer or a commissioned warrant officer in the Army, Navy, Air Force, or Marine Corps, while on active duty or in an active, inactive, or retired status.
14. Continuous service. Military service, unbroken by any period in excess of 24 hours.
15. Controlled substance. A drug or other substance included in Schedules I, II, III, IV, or V of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (84 Stat. 1236) (NOTAL) as updated and republished under the provisions of that Act, as amended.
16. Convening Authority. SECNAV or his delegates authorized to appoint boards under this instruction.
17. Counsel. A lawyer qualified under Article 27(b)(1), Uniform Code of Military Justice, or a civilian lawyer retained at the officer's expense.
18. Discharge. The termination of an officer's obligation to render service and complete severance from all military status.
19. Dismissal. Separation of a commissioned officer, effected by sentence of a general court-martial, or in commutation of such a sentence, or, in time of war, by order of the President, or separation of a warrant officer, W-1, who is dismissed by order of the President in time of war. A complete severance from all military status.

20. Drop from the rolls. A complete severance of military status under specific statutory authority, without characterization of service.

21. Homosexual. A person, regardless of sex, who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

22. Homosexual Act. Any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires and any bodily contact that a reasonable person would understand to demonstrate a propensity or intent to engage in such an act.

23. Homosexual conduct. A homosexual act, a statement by the member that demonstrates a propensity or intent to engage in homosexual acts, or a homosexual marriage or attempted marriage.

24. Homosexual Marriage or Attempted Marriage. When a member has married or attempted to marry a person known to be of the same biological sex.

25. Legal advisor. A judge advocate certified in accordance with Article 27(b), Uniform Code of Military Justice, appointed to assist boards convened to consider the separation or retention of officers.

26. Non-probationary commissioned officer. A commissioned officer other than a probationary commissioned officer.

27. Probationary commissioned officer. A Regular or Reserve commissioned officer on the active duty list with less than 5 years of active commissioned service. However, a Reserve commissioned officer serving in an active status before October 1, 1996, who was in a probationary status prior to that date, shall be a probationary commissioned officer for a period of 3 years from the date of his or her appointment as a Reserve commissioned officer. Regular warrant officers with less than 3 years and Reserve warrant officers with less than 5 years of service as a warrant officer.

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28. Propensity to Engage in Homosexual Acts. A likelihood that a person engages in or will engage in homosexual acts, which is more than an abstract preference or desire to engage in homosexual acts.

29. Qualified resignation. A resignation for which the least favorable characterization of service allowed is General (Under Honorable Conditions).

30. Release from active duty. The transfer of a Reserve officer from active duty to inactive duty.

31. Reserve Active-Status List (RASL). Each of the separate lists required to be maintained under section 14002 of reference (a) for the Navy and Marine Corps Reserve which shall include the names of all Reserve officers of each armed force except warrant officers (including commissioned warrant officers) who are in an active status and are not on an active-duty list.

32. Resignation. The request, by an officer, to be divested of his or her commission or warrant. May be classified as unqualified, qualified, or for the good of the service as defined in this enclosure. Upon acceptance by the Secretary and completion of all administrative procedures, it represents a complete severance from all military status.

33. Resignation for the good of the service. A resignation for which the least favorable characterization of service allowed is Under Other Than Honorable Conditions.

34. Respondent. A commissioned officer required to show cause for retention on active duty or as a member on the Reserve Active-status List.

35. Retention on active duty. The continuation of an individual on active duty as a commissioned or warrant officer of the Regular Navy or Marine Corps or the Naval or Marine Corps Reserve.

36. Revocation of appointment/revocation of commission/termination of appointment. A complete termination of the military service status of an officer.

37. Separation. A general term which includes discharge, dismissal, dropping from the rolls, revocation of an appointment or commission, termination of an appointment, retirement, or resignation.

38. Sexual Orientation. An abstract sexual preference for persons of a particular sex, as distinct from a propensity or intent to engage in sexual acts.

39. Sexual perversion. Includes:

- a. Lewd and lascivious acts.
- b. Sodomy.
- c. Indecent exposure.
- d. Indecent act(s) with, or indecent assault on, a person below the age of 16.
- e. Transvestitism or other abnormal sexual behavior.
- f. Other indecent act(s) or offense(s).

40. Show Cause Authority. Any of the following when expressly designated by SECNAV:

a. Commanders of reserve personnel centers, commanders exercising general court-martial convening authority and all general and flag rank officers in command who have a judge advocate or legal advisor available.

b. Officers (not below the grade of major general or rear admiral) designated by SECNAV to determine, based on a record review, that an officer shall be required to show cause for retention in the military service.

41. Statement that a Member is a Homosexual or Bisexual, or Words to That Effect. Language or behavior that a reasonable person would believe was intended to convey the statement that a person engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts. This may include statements such as "I am a homosexual," "I am gay," "I am a lesbian," "I have a homosexual orientation," and the like.

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42. The Secretary. The Secretary of the Navy.

43. Unlawful drug involvement. Includes:

a. Drug abuse - the illegal or wrongful use or possession of controlled substances.

b. Drug trafficking - the illegal or wrongful distribution or possession with intent to sell or transfer controlled substances.

c. Drug paraphernalia - the illegal or wrongful possession or distribution of drug paraphernalia as set forth in reference (f).

44. Unqualified resignation. A resignation for which the only characterization of service allowed is Honorable.